

APPENDIX "E"

INDIANA DEPARTMENT OF TRANSPORTATION CONSULTANT CONFLICT OF INTEREST POLICY

The Indiana Department of Transportation (INDOT) Conflict of Interest Policy (the "Policy") is as follows:

1. Consultants and subconsultants shall provide independent and uncompromised judgment, counsel, work product and public representation, with respect to every contract with INDOT.
2. Consultants and subconsultants shall support the policies and practices of the State of Indiana
3. Any conduct or set of facts that could or does compromise or limit the duties in (1) and (2) shall be considered a Conflict of Interest ("Conflict").
4. The consultant (and any subconsultant), not INDOT, shall reasonably and in good faith anticipate, identify, and disclose to INDOT any actual or potential Conflict.
5. In addition to complying with the requirements of this Policy, the consultant or subconsultant shall also comply with any other professional responsibilities, ethics, code of conduct or law applicable to the consultant or subconsultant.
6. The consultant shall include a term requiring compliance with this Policy in any agreement or arrangement with any subconsultant in furtherance of any INDOT contract.
7. INDOT, in its sole discretion, and with the exercise of reasonableness and good faith, may object to any Conflict, waive any Conflict, or require the Consultant (or any subconsultant) to remedy any Conflict to INDOT's satisfaction as a condition of INDOT awarding or continuing any contract; or awarding any amendment to, extension or supplement of or additional work under any contract.
8. The Consultant and any subconsultant shall notify INDOT of any Conflict or potential Conflict according to this Policy in writing (by emailing _____), fully explaining the Conflict or potential Conflict and providing any suggestions or protocol to remedy the Conflict prior to (as applicable):
 - A. The completion of any INDOT Consultant selection process;
 - B. Any consultant engaging any subconsultant on an INDOT contract; or
 - C. The consultant or subconsultant accepting any work from any entity which could create a Conflict.
9. INDOT shall issue its decision with respect to any notification provided under Paragraph #8, within 10 (ten) business days of receipt of said notification.